

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DIANA PENA,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

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Civil Action No. **3:12-CV-2631-L**


ORDER

Plaintiff Diana Pena filed this appeal on August 2, 2012, seeking review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”), pursuant to 42 U.S.C. § 405(g). The case was referred to Magistrate Judge David L. Horan, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on August 7, 2013, recommending that the decision of the Commissioner be reversed and remanded for further proceedings consistent with his Report. No objections to the Report were filed.

After a review of the pleadings, file, record, applicable law, and the magistrate judge’s findings and conclusions, the court determines that the magistrate judge’s findings and conclusions are correct and **accepts** them as those of the court. Accordingly, the Commissioner’s decision is **reversed**, and this case is **remanded** for further proceedings consistent with the findings and conclusions set forth in the magistrate judge’s Report. Although the Report does not specifically indicate whether the parties’ respective summary judgment motions should be granted or denied, it and this order accepting the magistrate judge’s findings and conclusions dispose of the issues raised

in the parties' motions. The clerk is therefore directed to term any motions that remain pending in this case.

It is so ordered this 27th day of August, 2013.

A handwritten signature in black ink, reading "Sam A. Lindsay". The signature is written in a cursive style with a large, sweeping loop at the end of the last name.

Sam A. Lindsay
United States District Judge